

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kaoru Matsuki, Kazuhiko Hidaka, and Kiyokazu Okamoto  
Serial No.: 10/075,650 Art Unit: 2856  
Filed: February 14, 2002 Confirmation No.: 9373  
Title: VIBRATION DETECTING SYSTEM OF RESILIENT BODY AND  
VIBRATING CONTACT DETECTION PROBE  
Examiner: Rose Mary Miller Docket No.: KIN-12976

*8/Suppl.  
IDS  
P. Walker  
10-27-03*

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

TECHNOLOGY CENTER 2856

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In accordance with Rule 56, applicant is aware of the publications listed in the enclosed Form PTO/SB/08A. A copy of each of the publications is enclosed herewith. The undersigned hereby certifies that each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement. (A copy of the Japanese Office action dated August 5, 2003, along with an English translation, is enclosed herewith.)

This Statement is being filed after the mailing date of a Notice of Allowance, but before payment of the Issue Fee. Petition hereby is made for consideration of this Statement and the required certification is indicated above. Enclosed is a check for \$180.00 covering the fee set forth in 37 C.F.R. 1.17(p).

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

*David E. Spaw*  
\_\_\_\_\_  
Signature of Person Mailing Paper

8/25/03  
Date

David E. Spaw  
Printed Name of Person Mailing Paper

If there are any additional fees resulting from this communication not covered by the enclosed check, please charge the same to Deposit Account No. 18-0160, Order No. KIN-12976.

Respectfully submitted,

RANKIN, HILL, PORTER & CLARK LLP

By   
David E. Spaw, Reg. No. 34732

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Reference No. MT1-1421  
Dispatch No. 266631  
Dispatch Date August 5, 2003

### Notification of Reason(s) for Refusal

Patent Application No.: Patent Application No. 2001-037408  
Drafting Date: July 25, 2003  
Examiner of Patent Office: (abbrev.) 9302 2J00  
Applicant / Representative: KINOSHITA Jitsuzo et al  
Applied Provisions: Patent Law Sections 29(2)

The application should be refused for the reason(s) mentioned below. If the applicant has any argument against the reason, such argument should be submitted within 60 days from the date on which this notification was dispatched.

#### Reason(s)

##### \* Reason 1:

The invention according to the claims listed below of the application should not be granted a patent under the provision of Patent Law Section 29(2) since it could easily have been made, prior to the filling of the application, by a person with ordinary skill in the art to which the inventions pertain, on the basis of the inventions described in the publications listed below which was distributed in Japan or elsewhere.

#### Note

Re: Claims 1 and 2

Document 1: JP08-201010 A

The document 1 describes an apparatus in which a detection signal from a piezoelectric element for detecting an oscillating status of a stylus to be oscillated is transmitted by a trans-coupling including first and second coils. There is no particular distinction between the invention according to claims 1 and 2 and the invention described in the document 1.

Re: Claim 3

Document 1

Document 2: JP 57-17530 A

The document 2 describes a touch sensor for detecting a vibration of a vibrating detection lever by a detection coil without any contact. It could be easily have been made by a skilled person to apply an element for detecting the vibration without any contact, which is described in the document 2, as an element for detecting the vibrating status of the stylus in the invention described in the document 1 in order to make the invention according to claim 3.

For the claims other than the claims specified in this notification of reason(s) for refusal, no reason for refusal is found at present. If any reason(s) for refusal is found later, it will be notified.

#### Record of the result of prior art search

• Field(s) to be searched	Int. Cl(7)
	G01H 11/00-11/08
	G01H 9/00
	G01B 5/00-5/30
	G01B 7/00-7/34
	G01B 21/00-21/32
• Documents of prior art	JP 35-6030 B
	JP 48-60653 A
	JP 60-237732 A
	JP 62-48362 B
	JP 04-140601 A
	JP 05-87507 A
	JP 06-221806 A
	JP 07-4735 B

JP 07-135442 A  
JP 09-502801 A  
JP 10-307001 A  
JP 2000-55643 A  
JP 01-118333 U  
JP 02-22203 Y

This record is not a component(s) of the reason(s) for refusal.

If the applicant has any inquiries regarding the notification of reason(s) for refusal or hopes to conduct a personal interview, please contact to the following:  
(abbrev.)

整理番号 MT1-1421  
 発送番号 266631  
 発送日 平成15年 8月 5日

## 拒絶理由通知書

特許出願の番号	特願2001-037408
起案日	平成15年 7月25日
特許庁審査官	秋田 将行 9302 2J00
特許出願人代理人	木下 實三(外 2名) 様
適用条文	第29条第2項

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から60日以内に意見書を提出して下さい。

### 理 由

この出願の下記の請求項に係る発明は、その出願前日本国内又は外国において頒布された下記の下記の刊行物に記載された発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。

### 記

#### 請求項1及び2について

引用文献1：特開平8-201010号公報

引用文献1には、加振されるスタイラスの振動状態を検出する圧電素子からの検出信号を第1コイル及び第2コイルからなるトランスカップリングにより伝達する装置が記載されており、請求項1及び2に係る発明と引用文献1に記載された発明との間に格別の差異はない。

#### 請求項3について

引用文献1

引用文献2：特開昭57-17530号公報

引用文献2には、振動する検出レバーの振動を検出コイルにより非接触で検出するタッチセンサーが記載されており、引用文献1に記載された発明におけるスタイラスの振動状態を検出する素子として、引用文献2に記載され非接触により振動を検出する素子を適用することにより、請求項3に係る発明とすることは当業者が容易になし得ることである。

この拒絶理由通知書中で指摘した請求項以外の請求項に係る発明については、現時点では、拒絶の理由を発見しない。拒絶の理由が新たに発見された場合には拒絶の理由が通知される。

### 先行技術文献調査結果の記録

- ・調査した分野   IPC第7版  
                   G01H 11/00-11/08  
                   G01H 9/00  
                   G01B 5/00- 5/30  
                   G01B 7/00- 7/34  
                   G01B 21/00-21/32
- ・先行技術文献   特公昭35-6030号公報  
                   特開昭48-60653号公報  
                   特開昭60-237732号公報  
                   特公昭62-48362号公報  
                   特開平4-140601号公報  
                   特開平5-87507号公報  
                   特開平6-221806号公報  
                   特公平7-4735号公報

特開平 7-135442 号公報  
特表平 9-502801 号公報  
特開平 10-307001 号公報  
特開 2000-55643 号公報  
実開平 1-118333 号公報  
実公平 2-22203 号公報

この先行技術文献調査結果の記録は、拒絶理由を構成するものではない。

この拒絶理由通知の内容に関するお問い合わせ、または面接のご希望がございましたら下記までご連絡願います。

特許審査第一部 材料分析 秋田将行  
TEL: 03(3581)1101 内線3252 FAX:03(3501)0604